

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 99838

Christopher Baker
1349 Halstead Rd
Baltimore, MD 21234

1349 Halstead Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on September 14, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) 13-7-305, 306 13-4-2016D and 13-4-2016D; failure to store trash in cans with tight fitting lids; failure to remove rat infestation on residential property.

On August 24, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Jeff Radcliffe issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$ 1,000.00 (One thousand dollars)

The following persons appeared for the Hearing and testified: Christopher Baker Respondent; Jeff Radcliffe, Baltimore County Code Enforcement Officer.

Testimony was presented that based upon a complaint and prior history of violations the property was inspected on 2/10/11. Trash in cans without proper lids was noted and a subsequent hearing was held, and a fine was imposed. On a further complaint the property was inspected on 8/24/11 with an immediate Citation issued for cans without proper lids and rat infestation. A pre-hearing inspection took place on 9/13/11, revealing proper cans and lids but no evidence that any of the rat holes and access points had been treated or closed. The Respondent testified that he was trying to

comply with and was on top of the trash can codes, but did not have the resources to concrete the rate access points; rather, he and some neighbors were trying to treat the situation themselves

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty lien be imposed in the amount of \$ 500.00 (Five hundred dollars)

IT IS FURTHER ORDERED that \$450.00 of the \$500.00 civil penalty lien be suspended

IT IS FURTHER ORDERED that the remaining \$450.00 will be imposed if the property is not brought into compliance by properly sealing all open rat holes and access points and/or obtaining the services of a licensed exterminator to bring the property into compliance by October 9, 2011.

IT IS FURTHER ORDERED that, presuming the property is brought into compliance pursuant to this Order, the remaining \$450.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty lien AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 16th day of September 2011

Signed: Original signed 09/16/11
Lawrence Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.

TMK/lmw